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5 Attorneys for Plaintiff
IVETTE RIVERA

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

12 IVETTE RIVERA,

Case No. C 15-00380

13 Plaintiff,

**STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING TIME FOR PLAINTIFF TO
FILE AN OPPOSITION TO MOTION TO
DISMISS SECOND AMENDED
COMPLAINT**

14 v.
15 EAST BAY MUNICIPAL UTILITY
DISTRICT, et al,

**DATE: FEBRUARY 10, 2016
TIME: 1:00 P.M.
COURTROOM 210**

16 Defendants.

Hon. Saundra Brown Armstrong

1 PLEASE TAKE NOTICE that the parties to this action, Plaintiff IVETTE RIVERA and
2 Defendant EAST BAY MUNICIPAL UTILITY DISTRICT (“EBMUD”), hereby stipulate to
3 extend the time for Plaintiff to file an Opposition to Defendant’s Motion to Dismiss the Second
4 Amended Complaint (Doc. No. 79) for a period of seven (7) days. Plaintiff’s Opposition is
5 presently due on January 1, 2016. The parties have agreed to extend the time for Plaintiff’s
6 Opposition until January 8, 2016, with the Reply extended an equal amount of time.

7 There exists good cause in which to grant this stipulation as (1) Defendant EBMUD filed
8 a Motion to Dismiss Plaintiff’s Second Amended Complaint on December 18, 2015, with
9 Opposition due on January 1, 2016, (2) during the meet and confer process prior to filing the
10 motion, the parties stipulated to allow Plaintiff an additional seven days to file an Opposition to
11 the motion, as Plaintiff’s counsel will be unavailable during the Christmas week, with family in
12 town from Canada for the holiday, and (3) the extension of time should not interfere with the
13 Court’s docket, as the hearing date is not scheduled until February 10, 2016.

14 The parties are not making this request for the purpose of any undue delay, and no party
15 would suffer any prejudice if this stipulation was granted.

16 IT IS HEREBY STIPULATED between the parties that Plaintiff be provided with an
17 extension of time of seven days until January 8, 2016 in which to file an Opposition to
18 Defendant’s Motion to Dismiss the Second Amended Complaint.

19 SO STIPULATED.

20 Dated: December 18, 2015

LIEBERT CASSIDY WHITMORE

21 *//s// Zachary Shine*
22 ZACHARY SHINE
23 Attorneys for Defendant EBMUD

24 Dated: December 18, 2015

BROWN | POORE LLP

26 *//s// David M. Poore*
27 DAVID M. POORE
28 Attorneys for Plaintiff IVETTE RIVERA

1 **CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION**

2 I hereby attest that concurrence in the filing of this document has been obtained from each
3 of the other signatories to this document.

4 DATED: December 18, 2015

By: /s/David M. Poore
5 DAVID M. POORE
6 Attorney for Plaintiff

11 **[PROPOSED] ORDER**

13 GOOD CAUSE SHOWING, the Stipulation is GRANTED.
14
15 IT IS HEREBY ORDERED that the deadline for Plaintiff to submit her Opposition to
16 Defendant's Motion to Dismiss the Second Amended Complaint is extended until January 8,
17 2016. The deadline to file a Reply shall be extended equally.

18 SO ORDERED.

19 Dated: December 21, 2015


20 UNITED STATES DISTRICT COURT